

AMENDED IN SENATE MAY 31, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 252

Introduced by Assembly Member Chavez Dymally

February 8, 2005

An act to ~~amend Section 8778~~ *add and repeal Chapter 9.6 (commencing with Section 8770) of Division 1 of Title 2 of the Government Code, relating to arts, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 252, as amended, ~~Chavez Dymally~~. Digital Arts Studio Partnership ~~Demonstration~~ Program Act.

Existing law generally provides for various youth development programs in the state.

This bill, until January 1, 2011, would establish the Digital Arts Studio Partnership Program (DASP) to train youth in digital technology skills. It would require the program to be administered by the Lieutenant Governor's office according to specified criteria and subject to the availability of funding for that purpose. It would require the office, as the host agency for the program, to contract with a nonprofit corporation meeting prescribed criteria to implement the program in partnership with participating regional DASP organizations, as defined, to convene a DASP Statewide Advisory Panel to perform various duties with regard to the program, and to report annually to specified entities on the progress of the program.

The bill would authorize the Lieutenant Governor's office to receive and expend, through the continuously appropriated Special Deposit

Fund, private moneys for these purposes, thereby making an appropriation.

~~Existing law requires, until January 1, 2006, the Arts Council to administer the Digital Arts Studio Partnership Demonstration Program, which is established to create voluntary pilot regional public and private partnerships in digital media arts technology that will train youths in after school regional, community-based digital technology programs, with the goal of providing a qualified, domestic workforce in technology and the arts.~~

~~This bill would extend these provisions until January 1, 2011, unless a later enacted statute enacted before January 1, 2011, deletes or extends that date.~~

Vote: majority. Appropriation: ~~no~~-yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. The Legislature finds and declares all of the*
- 2 *following:*
- 3 *(a) The youth of California are the primary beneficiaries of*
- 4 *digital media technology development because this technology is*
- 5 *the foundation of social relations, intellectual development, and*
- 6 *exploration and understanding of their world.*
- 7 *(b) Currently, the training and educating of our youth in the*
- 8 *entire field of digital media arts and communications technology*
- 9 *is often absent, isolated, fragmented, marginalized, and*
- 10 *underdeveloped in schools, industry, and the community.*
- 11 *(c) There is a need to ensure the availability of, and full access*
- 12 *to, innovative and career-quality digital arts training and tools,*
- 13 *and their dissemination to secondary school youth and*
- 14 *educators. Reinforcing basic and advanced skills in, and*
- 15 *knowledge of, digital media arts and aesthetics applications will*
- 16 *serve as a means of improving the quality of education, digital*
- 17 *literacy, and workforce and community development offered in*
- 18 *California.*
- 19 *(d) The understanding of the scope and nature of the field of*
- 20 *digital media arts and telecommunications technology is*
- 21 *underdeveloped and lacks cohesion and coherence.*
- 22 *(e) Educating and training our youth in digital media arts*
- 23 *technology will lead to careers in that field, thus contributing to*

1 *a stronger state economy through meeting vital employer sector*
2 *needs.*

3 *(f) The establishment of a coordinated and networked regional*
4 *training and service model will enable our youth to obtain*
5 *competencies and skills and to pursue career paths in digital arts*
6 *and telecommunications technology.*

7 *(g) There is a demonstrably need for high quality media*
8 *communications tools and products in the community nonprofit*
9 *sector in order for that sector to accomplish its mission for social*
10 *enhancement.*

11 *(h) Youth interconnectivity can be benefitted by access to, and*
12 *mastery of, emerging digital media technology, leading to*
13 *improved self-determination, self-empowerment, civic*
14 *contributions, and cultural harmony in our society.*

15 *(i) The entertainment, manufacture, and system design*
16 *elements of the digital media telecommunications industries*
17 *define the future of communications in California in the 21st*
18 *century and as such play an unparalleled and compelling role in*
19 *the education, workforce development, and economic future of*
20 *California.*

21 *(j) Therefore, it is the intent of the Legislature in enacting this*
22 *act to develop comprehensive, community-based, public and*
23 *private regional partnerships that are the result of a systematic*
24 *planning process that includes strategies aimed at linking*
25 *existing programs providing technology training or services, or*
26 *both, to youth, promoting instructor professional development*
27 *and networking, and establishing active involvement and support*
28 *of private industry.*

29 *SEC. 2. Chapter 9.6 (commencing with Section 8770) is*
30 *added to Division 1 of Title 2 of the Government Code, to read:*

31
32 *CHAPTER 9.6. DIGITAL ARTS STUDIO PARTNERSHIP PROGRAM*
33 *ACT*
34

35 *8770. This chapter shall be known and may be cited as the*
36 *Digital Arts Studio Partnership Program Act.*

37 *8771. For the purposes of this chapter, the following*
38 *definitions shall apply:*

39 *(a) "DASP" or "program" means the Digital Arts Studio*
40 *Partnership Program established pursuant to Section 8772.*

1 (b) “DASP Statewide Advisory Panel” means the advisory
2 panel convened by the Lieutenant Governor pursuant to Section
3 8776.

4 (c) “Host agency” means the Lieutenant Governor’s office.

5 (d) “Hub” means a facility contracted by the regional DASP
6 organization to provide the full range of state-of-the-art tools
7 and studio space, including computers, video, audio, or other
8 digital media software and production equipment onsite or
9 offsite, and that meets both of the following criteria:

10 (1) It can successfully deliver media messages to a potentially
11 large offsite audience via cable television, Web site, broadcast or
12 LPFM radio, or other means of mass audience electronic
13 message distribution.

14 (2) It offers regional training programs and curriculum
15 coordination with industry and postsecondary institutions for
16 emerging digital arts technology designed for young people and
17 their adult mentors in an afterschool or extended schoolday type
18 program for workforce development.

19 (e) “Media atelier or club” means a neighborhood program,
20 facility, or classroom that meets all of the following criteria:

21 (1) It is a dedicated digital media arts environment that can
22 provide afterschool or extended school day digital media arts
23 training activities for young people interested in mastery and
24 knowledge of digital media production and opportunities for
25 community service.

26 (2) It can provide computers, video, audio, or other digital
27 media software and production equipment onsite.

28 (3) It has adult mentoring and a peer-to-peer support program
29 designed for young people.

30 (4) It agrees to report required program work, fiscal
31 information, and other data in a timely manner to the designated
32 satellite studio or regional DASP organization, to host periodic
33 meetings and media events for young people in close proximity to
34 their homes, and to establish and respect youth led media
35 association advisory plan input.

36 (f) “Regional DASP organization” means a regional nonprofit
37 corporation that has been approved by, and contracts with, the
38 host agency for implementation of the program at a local level.

39 (g) “Satellite studio” means an organization that coordinates
40 in reporting, planning, and event operations between the hub and

1 *primary regional DASP organizations and that meets all of the*
2 *following criteria:*

3 *(1) It can provide state-of-the-art digital media arts*
4 *consultative and support services to at least five of the media*
5 *ateliers or clubs.*

6 *(2) It can provide computers, video, audio, or other digital*
7 *media software and digital studio production equipment onsite*
8 *and offsite.*

9 *(3) It can successfully produce and deliver media messages to*
10 *a potentially large offsite audience via cable television, Web site,*
11 *broadcast, broadcast or LPFM radio, or other means of*
12 *electronic message distribution.*

13 *(4) It has specific training programs and curriculum designed*
14 *for youth aged 13 to 18 years, inclusive, and adult mentors.*

15 *(h) "Youth" means individuals aged 13 to 22 years, inclusive,*
16 *unless otherwise specified.*

17 *8772. (a) The Digital Arts Studio Program, also known as*
18 *DASP, is hereby established in state government.*

19 *(b) The purpose of the program is to create voluntary regional*
20 *public and private partnerships in digital media arts and*
21 *telecommunications technology that will train youth and their*
22 *mentors in school or community-based regional digital*
23 *technology programs, in order to expand both academic and*
24 *vocational pathways to learning and to provide a qualified*
25 *domestic workforce in technology and the arts.*

26 *8773. (a) The Lieutenant Governor's office shall administer*
27 *the program and shall serve as the program's host agency. In*
28 *administering the program, the host agency shall do all of the*
29 *following:*

30 *(1) Develop and administer a master contract with the*
31 *corporation described in Section 8774.*

32 *(2) Approve the statewide plan developed pursuant to Section*
33 *8775.*

34 *(3) Approve contracts with at least five regional DASP*
35 *organizations in the state.*

36 *(4) Report annually on the progress of the program pursuant*
37 *to subdivision (b) of Section 8777.*

38 *(5) Provide input for the program's annual budget.*

39 *(6) Approve contracts for assessments or evaluations.*

40 *(7) Oversee expenditures for the program.*

1 (8) *Serve as a cohost, with the contracting corporation, of the*
2 *program's annual statewide conference.*

3 (9) *Convene the DASP Statewide Advisory Panel pursuant to*
4 *Section 8776.*

5 (10) *Approve any applicable tax credit certification reports*
6 *provided by the contracting agency.*

7 (11) *Convene at least one meeting annually of representatives*
8 *of K-12 education, community colleges, four-year learning*
9 *institutions, workforce development agencies, including, but not*
10 *limited to, the Labor and Workforce Development Agency and*
11 *state and local workforce investment boards, and youth councils,*
12 *to review the progress the state is making toward meeting the*
13 *objectives of this chapter. The review shall include, but not be*
14 *limited to, how the state is working with industry to develop a*
15 *well trained workforce in digital media arts and*
16 *telecommunications technology.*

17 (b) *The Lieutenant Governor shall appoint a staff person*
18 *within his or her office to exercise oversight of the duties of the*
19 *host agency, subject to the availability of funds for the position.*

20 8774. (a) *The host agency shall contract with a nonprofit*
21 *corporation to implement the activities in this chapter. The*
22 *criteria for selection of the contractor shall include all of the*
23 *following:*

24 (1) *The contracting corporation shall be a nonprofit*
25 *corporation organized under the laws of this state, whose sole*
26 *responsibility is to implement the program described in this*
27 *chapter.*

28 (2) *The contracting corporation shall have the capability to*
29 *conduct statewide activities.*

30 (3) *The board of directors of the contracting corporation shall*
31 *include at least one member from each of the five regional*
32 *organizations, and at least two youth under the age of 22 years.*

33 (4) *The contracting corporation and its officers shall have a*
34 *history of work in the area of digital arts, including, but not*
35 *limited to, convening of statewide conferences, developing*
36 *policy, and working with industry partners.*

37 (5) *The contracting corporation shall demonstrate that it has*
38 *the ability to disseminate curriculum and to assist professional*
39 *development courses.*

1 (6) *The contracting corporation shall have the capacity to*
2 *provide certification for any tax credits that may be applied to*
3 *the program.*

4 (7) *Colleges, universities, community nonprofits in limited*
5 *geographic areas, or for-profit corporations shall not be eligible*
6 *to contract under this section.*

7 (b) *The contracting corporation shall have all of the following*
8 *duties:*

9 (1) *Developing the statewide plan pursuant to Section 8775,*
10 *for approval by the host agency.*

11 (2) *Drafting a master contract for approval by the host*
12 *agency.*

13 (3) *Planing and administering all aspects of conferences,*
14 *forums, meetings with respect to the statewide program,*
15 *including the annual statewide DASP conference.*

16 (4) *Establishing standards and requirements and grant*
17 *guidelines, processes, and procedures for, and administering*
18 *contracts with, regional DASP organizations.*

19 (5) *Overseeing the performance of grantees, including local*
20 *service providers such as hubs, ateliers or clubs, or satellite*
21 *studios.*

22 (6) *Developing policies for the program, subject to approval*
23 *by the host agency.*

24 (7) *Developing recommendations for statutory or regulatory*
25 *changes for the program, subject to approval by the host agency.*

26 (8) *Meeting regularly with K-14 state education leaders.*

27 (9) *Producing and promoting model curriculum units in*
28 *technology education for regional DASP organizations.*

29 (10) *Serving as liaison with applicable state agency advisory*
30 *panels.*

31 (11) *Developing assessment or evaluation contracts for host*
32 *agency approval.*

33 (12) *Developing and maintaining an inclusive Web site.*

34 (13) *Providing necessary data collection and research*
35 *functions.*

36 (14) *Serve as certifying entity for any applicable tax credits.*

37 (15) *Administering the day to-day operations of the statewide*
38 *program.*

1 (16) Submitting an annual report to the host agency detailing
2 the progress made and challenges encountered toward meeting
3 the goals set forth in the statewide plan.

4 8775. The statewide plan developed by the contracting
5 corporation shall include all of the following elements:

6 (a) A map of digital programs, to include all of the following:

7 (1) Training targets for each region that enumerate the
8 number of youth and teachers to be trained annually.

9 (2) An assessment of programs in digital media arts in
10 California at the secondary, community college, and four-year
11 educational institutions as well as private or community training
12 agencies.

13 (3) A list of companies or corporations that offer training
14 programs and support for instructors.

15 (b) Industry areas of concentration, including all of the
16 following:

17 (1) A description of industry needs by sector, including, but
18 not limited to, digital art, design, manufacturing, software
19 design, and entertainment, as well as other applications in
20 forensic sciences, health care, agriculture, and legal professions
21 that require digital modeling or simulations.

22 (2) An inventory and description of programs offered by
23 industry partners, including, but not limited to, internships,
24 mentorships, residencies, executive loan programs, and
25 certification and noncertification training programs.

26 (3) Identification of the best practice pathways and
27 approaches to engage all of the investment strategies that DASP
28 industry partners may offer that includes using all divisions of a
29 company, including sales and marketing, human resources,
30 philanthropy, and community and government relations entities.

31 (c) An education interface, including all of the following:

32 (1) An inventory and description of all partner educational
33 institutions who sign agreements with the contracting
34 corporation or regional DASP organizations.

35 (2) An assessment of articulation of educational programs at
36 all levels, including, but not limited to, middle school, high
37 school, community college, and four-year institutions.

38 (3) A description of how to encourage use of the California
39 Career Technical Education standards and framework through
40 workshops or assistance made available through DASP.

1 (4) *Other necessary functions that relate to education and*
2 *digital media programs and companies.*

3 (d) *A master contract, including all of the following:*

4 (1) *A definition of regional DASP organizations and*
5 *designation of a minimum of approved regional DASP*
6 *organizations.*

7 (2) (A) *Execution of an agreement with regional DASP*
8 *organizations that ensures fulfillment of DASP objectives,*
9 *including, but not limited to, the following functions and*
10 *activities:*

11 (i) *A professional staff development plan for teachers in the*
12 *region by approved agents, and other workshops for teachers in*
13 *using digital arts standards and frameworks.*

14 (ii) *Development of mentorships, internships, and residencies*
15 *in schools.*

16 (iii) *Development of articulation agreements between*
17 *secondary schools, community colleges, and four-year*
18 *institutions.*

19 (iv) *Convening of open and public regional DASP*
20 *organization board meetings, at least four times annually.*

21 (v) *Selection of regional DASP organization representatives*
22 *for the board of the contracting corporation.*

23 (vi) *Mandatory attendance of staff and board of the regional*
24 *DASP organization at the statewide annual conference.*

25 (vii) *Participation in statewide DASP affinity groups,*
26 *including, but limited to, drafting sessions at the annual*
27 *statewide conference.*

28 (viii) *Participation in data collection as called for by the*
29 *contracting corporation.*

30 (ix) *Production of multimedia festivals or showcases, or both,*
31 *of youth works.*

32 (x) *Holding career promotion days for youth in the region.*

33 (xi) *Marketing and promoting DASP work for public*
34 *awareness.*

35 (xii) *Developing grants and related funding support sources.*

36 (xiii) *Promoting community service projects and coordination*
37 *with the regional nonprofit organizational sector.*

38 (xiv) *Recruiting private sector partners, including individuals,*
39 *companies, and corporations in the field of technology, media,*
40 *arts, entertainment, Web design, industrial design,*

1 *communications, and software development for investment and*
2 *participation in the program.*

3 *(xv) Recruiting partners among labor unions, professional*
4 *associations, business associations, nonprofit sector*
5 *organizations, and relevant workforce government agencies.*

6 *(B) The execution of agreements with regional DASP*
7 *organizations shall also ensure that the organizations can*
8 *achieve all of the following objectives:*

9 *(i) The capacity to reach a population of at least one million*
10 *people or collaborate in a regional, multicounty,*
11 *community-based, coordinated program, or the capacity to*
12 *broadcast student-produced media, or both.*

13 *(ii) The capacity and ability to train 500 youths and 100*
14 *mentors or instructors annually where feasible. Youths trained*
15 *shall include youth from low-income families and communities of*
16 *color, and youth with disabilities.*

17 *(iii) Where feasible, the ability to provide access for youth,*
18 *beyond the established schoolday, to state-of-the-art facilities,*
19 *equipment, and personnel.*

20 *(iv) The ability to provide expert staff who shall serve as*
21 *trainers and mentors.*

22 *(v) The ability to identify underequipped and underserved*
23 *communities and schools in the targeted region, for purposes of*
24 *inclusion in the partnership.*

25 *(vi) Identify and designate a hub site or organization that can*
26 *provide necessary production and broadcast facilities for digital*
27 *media and communications work.*

28 *(vii) Identify and designate at least four satellite studio sites*
29 *that can provide technologic equipment to shoot and edit youth*
30 *media product, with accessibility of a teacher or mentor on site*
31 *to assist youth.*

32 *(viii) Identify and designate necessary additional youth media*
33 *ateliers or clubs where youth can meet, learn, and work*
34 *collaboratively on projects.*

35 *(ix) Development of youth organizations led, to the degree*
36 *possible, by youth.*

37 *(3) A description of funds available and the mechanism for*
38 *funding regional programs.*

39 *(4) Grant development functions provided by DASP to*
40 *participating regional DASP organizations.*

1 (e) *Development of a plan for recruiting industry partners in*
2 *using any available tax credits applicable to the program, and*
3 *carrying out any related duties in that regard, including*
4 *certification of program participation, if required.*

5 8776. (a) *The host agency shall convene an advisory panel,*
6 *to be known as the DASP Statewide Advisory Panel, consisting of*
7 *18 voting members appointed as follows:*

8 (1) *Nine members shall be appointed by the Governor.*

9 (2) *Three members shall be appointed by the Lieutenant*
10 *Governor.*

11 (3) *Three members shall be appointed by the Speaker of the*
12 *Assembly.*

13 (4) *Three members shall be appointed by the Senate*
14 *Committee on Rules.*

15 (b) *The Lieutenant Governor or his or her designee shall serve*
16 *as the chairperson of the panel in a nonvoting, ex-officio*
17 *capacity.*

18 (c) *The membership of the panel shall be drawn*
19 *proportionally from private industry, state agencies involved in*
20 *education, workforce development, and the arts, local educators,*
21 *artists, teachers, parents, and youth. The host agency shall*
22 *advise the appointing authorities that the panel shall include at*
23 *least one classroom teacher, one parent, and one youth*
24 *participant, and if no such members are appointed by either the*
25 *Governor or legislative appointment authorities, the Lieutenant*
26 *Governor shall meet this requirements from his or her*
27 *appointments.*

28 (d) *Members of the panel shall serve at the pleasure of their*
29 *appointing authority, and shall serve the state without*
30 *remuneration, except that they may be reimbursed for reasonable*
31 *expenses incurred in attending the meetings of the panel.*

32 (e) *The Lieutenant Governor or the contracting corporation*
33 *may provide staff for the panel.*

34 (f) *The panel shall meet twice annually as called by the host*
35 *agency.*

36 (g) *The panel shall do all of the following:*

37 (1) *Advise the host agency on policy.*

38 (2) *Set allocation priorities for industry sectors, such as*
39 *entertainment, design, or communications, among others.*

1 (3) Assist in convening the program's annual statewide
2 conference.

3 (4) Serve as liaison to the manufacturing, communications,
4 and entertainment industries, and the higher education sector.

5 (5) Assist in the development of the statewide plan.

6 (6) Evaluate and advise the Governor, the Secretary of
7 Education, the Secretary of Labor and Workforce Development,
8 and the Secretary of Business, Transportation and Housing on
9 the workforce needs of the state with respect to emerging
10 technology.

11 8777. (a) The host agency shall establish performance
12 criteria for evaluating digital arts studio partnerships, that would
13 include, but not be limited to, all of the following:

14 (1) Training outcomes.

15 (2) Youth multimedia art products and their exhibition.

16 (3) Digital media and aesthetics curriculum development and
17 dissemination.

18 (4) Afterschool instructor recruitment and training.

19 (5) Partnerships with industry and their effectiveness.

20 (6) Youth leadership development.

21 (7) Community service and enhancement.

22 (8) Communication arts growth and achievements.

23 (9) Impact on digital divide challenges.

24 (b) No later than March 1, 2008, and by that date annually
25 thereafter, the host agency shall report on the program to the
26 Joint Committee on the Arts, the Assembly Committee on Arts,
27 Entertainment, Sports, Tourism and Internet Media, the
28 Assembly and Senate Education Committees, and the Legislative
29 Analyst. The report shall include, but not be limited to, an
30 accounting of any applicable certified tax credits allocated,
31 performance measures, as outlined in subdivision (a), and any
32 other information the Legislature may require.

33 8778. (a) This chapter shall be implemented only to the
34 extent funds are available for this purpose.

35 (b) The host agency may receive and expend private moneys
36 for the purposes of this chapter, pursuant to Section 16372.

37 (c) Except as specified with respect to state entities, no part of
38 this chapter shall be construed to apply to any public or private
39 entity that has not agreed to participate in the program.

1 8779. *This chapter shall remain in effect only until January 1,*
2 *2011, and as of that date is repealed, unless a later enacted*
3 *statute, that is enacted before January 1, 2011, deletes or extends*
4 *that date.*

5 ~~SECTION 1. Section 8778 of the Government Code is~~
6 ~~amended to read:~~

7 ~~8778. This chapter shall remain in effect only until January 1,~~
8 ~~2011, and as of that date is repealed, unless a later enacted~~
9 ~~statute, that is enacted before January 1, 2011, deletes or extends~~
10 ~~that date.~~